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**General and complete disarmament**

# Conventional arms control at the regional and subregional levels

## Report of the Secretary General

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# I. Introduction

1. In its resolution 66/37 of 2 December 2011 on conventional arms control at the regional and subregional levels, the General Assembly decided to give urgent consideration to the issues involved in conventional arms control at the regional and subregional levels, and requested the Secretary-General to seek the views of Member States on the subject and to submit a report to the Assembly at its sixty-seventh session.

2. Pursuant to that request, on 9 March 2012, the Secretariat sent a note verbale to Member States requesting their views on the subject. As of the writing of the present report, eight replies have been received from the following States: Armenia, Burkina Faso, Colombia, Germany, Panama, Spain, Turkey and Turkmenistan. Those replies are reproduced in section II below. Subsequent replies will be issued as addenda.

# II. Replies received from Member States

## Armenia

[Original: English]
[12 June 2012]

General Assembly resolution 66/37 is an important opportunity to examine the challenges related to conventional arms control at the regional and subregional levels, to identify the sources of discord and to seek lasting solutions.

Armenia has always been a staunch advocate for regional cooperation in every possible sphere, including the sphere of conventional arms control, which plays a significant role in promoting confidence-building and contributing to regional security.

Guided by this principled approach, Armenia contributes to conventional arms control within the framework of the United Nations, the Organization for Security and Cooperation in Europe (OSCE) and the Partnership for Peace/Euro-Atlantic Partnership Council of the North Atlantic Treaty Organization, making every effort to further strengthen the conventional arms control regime in the European area in general and the region of the South Caucasus in particular.

### Treaty on Conventional Armed Forces in Europe

The Treaty on Conventional Armed Forces in Europe is one of the pillars of security and stability in Europe. Its implementation has promoted an unprecedented and wide-scale disarmament process in Europe and the growth of transparency in the conventional arms control sphere. The Treaty has played a vital role as a stabilizing factor during the transition period in the European security environment.

Armenia is committed to the strict implementation of the provisions of the Treaty. The Armenian side, remaining committed to its treaty obligations, exchanges information on the armed forces of Armenia, their structure, areas of deployment and Treaty-limited equipment, and receives inspections. The reports of the latter clearly state that Armenia is fully implementing the Treaty.

Armenia is actively participating in the negotiations to strengthen and modernize the conventional arms control regime in Europe. The principled position of the Armenian side is that the new legally binding document must be of an "all-weather" nature and its implementation not subject to any condition.

**Violations of the Treaty on Conventional Armed Forces in Europe by Azerbaijan**

The Treaty's fundamental role and significance has grown, especially in the South Caucasus region where, unfortunately, Azerbaijan has unleashed a decidedly dangerous race of armaments.

According to official information on implementation of the Treaty on Conventional Armed Forces in Europe, as of 1 January 2012, Azerbaijan significantly exceeded its established ceilings in three categories of Treaty-limited equipment. The Azerbaijani holdings in battle tanks were 381 (permitted ceiling is 220) and in artillery are 516 (permitted ceiling is 285). In 2011 there was a sizeable increase of holdings in artillery (47) as well as in the categories of attack helicopters (3 to 5) and armoured combat vehicles (106). Unfortunately Azerbaijan failed to reflect the exceeding of its ceiling of armoured combat vehicles — 287 against 220 — permitted by the Treaty.

The manifold increase of Azerbaijan's military budget over the last years (the defence budget for 2012 is $3.47 billion) and the persistent aggressive and harsh anti-Armenian rhetoric of the Azerbaijani leadership also increase the gap between the two nations, heighten the tension in the region of the South Caucasus and seriously undermine the negotiation process aimed at the peaceful settlement of existing problems, particularly the Nagorno Karabakh conflict. The negligent position of Azerbaijan in this regard has a very negative impact on the efforts of Armenia to promote an atmosphere of trust and cooperation in the region.

**Confidence- and security-building measures of the Organization for Security and Cooperation in Europe**

The main tools for the Republic of Armenia in the field of conventional arms control are the OSCE confidence- and security-building measures: the Vienna Document 1999, the Global Exchange of Military Information database, the Document on Small Arms and Light Weapons, the Code of Conduct on Politico-Military Aspects of Security, the questionnaire on anti-personnel landmines, etc. Armenia considers the OSCE confidence- and security-building measures as part of its own security structure and an important means of reducing actual and perceived threats to its own and broader regional security.

Armenia actively participates in the implementation of the Vienna Document provisions and the other mentioned confidence- and security-building measures in the conventional arms sphere. The Armenian side largely contributed to the updating of the Vienna Document by supporting most of the suggestions on its modernization, some of which were adopted as Forum for Security Cooperation decisions and later incorporated into the Vienna Document 2011. Armenia advocates further modernization of the Vienna Document for preserving and strengthening security and stability in the European region, especially in the light of existing difficulties with the modernization of the Treaty on Conventional Armed Forces in Europe.

## Burkina Faso

[Original: French]
[4 June 2012]

### At the subregional level

Inter-State conflicts have practically disappeared from our subregion since the early 1990s. However, we have witnessed a resurgence of internal conflicts and tensions, such as the Tuareg rebellions in Niger and in Mali. Unfortunately, wrongful use and illicit trafficking[1] of weapons has remained widespread in Mali since its partition into two zones at the beginning of 2012.[2]

The crisis in Côte d'Ivoire, which began on 19 September 2002, has had a lasting negative impact on the subregion. Weapons of all calibres have been used by belligerents on each side without any effective control. We cannot remain silent regarding the crisis in Casamance, Senegal, which has continued since the 1980s. There have also been internal social and political crises in Togo. The common denominator in all of these conflicts is the often disproportionate use of weapons that are difficult to trace. This leads us to conclude that small arms and light weapons, and often heavy weapons, have been misused at the subregional level.

Given the multiplicity of crises in the subregion and the porous borders, arms used in one country easily find their way into neighbouring countries.

### At the national level

In view of Burkina Faso's geographical location, sharing six borders with its neighbours, and the porous nature of those borders, the country cannot be said to exercise any significant control over the circulation of conventional arms. Indeed, we do not have sufficient resources for effective border control.

Another difficult area is inventory management of weapons and ammunitions stocks (owing to physical conditions, including heat and humidity) belonging to the Defence and Security Forces. These arms are not stored very securely, and the same is often true for those of licensed weapons traders.

With respect to the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons of 10 October 1980, signed in Geneva, Burkina Faso ratified it on 26 November 2003. It is therefore an integral part of our domestic legal system. We note that our Defence and Security Forces have never ordered or used these types of weapons. Furthermore, these weapons are not considered in the military strategies of our Defence and Security Forces.

In conclusion, conventional weapons, in particular small arms and light weapons, continue to be used, with their attendant share of daily misfortunes, across the subregion and in our country primarily in armed attacks by highway bandits, and

[1] In *Jeune Afrique*, No. 2650 (29 October 2011), former President of Mali Amadou Toumani Touré commented on the proliferation of arms in the Sahel. He observed that Libya was a weapons depot and a powder keg and that the Arab Spring had shaken an already fragile region. From his viewpoint, it was more like an extremely harsh winter.

[2] The north of the country has been occupied by the National Movement for the Liberation of Azawad and by terrorist or extremist groups such as the Organization of Al-Qaida in the Islamic Maghreb, Ansar Dine and others.

in burglaries of homes and other private premises. Burkina Faso therefore supports the addition of small arms and light weapons and their ammunitions as an eighth category in the United Nations Register of Conventional Arms, according to the "7+1+1" formula for the draft arms trade treaty (ATT).

## Colombia

[Original: Spanish]
[12 June 2012]

In Colombia, the State has a monopoly on arms. Under the current regulations, Industria Militar de Colombia is the entity responsible for their production, import and marketing. In addition, in exceptional cases where authorized individuals carry weapons, those persons are under the jurisdiction of the Department for the Control of the Arms, Ammunition and Explosives Trade, Armed Forces General Command.

As Colombia produces and sells the weapons that the Armed Forces need to fulfil their constitutional mission, there is no surplus, overproduction or export of large quantities of weapons.

Obsolete and outdated arms that cannot be converted by the Armed Forces are destroyed.

Strict controls are in place for the arsenals of the Armed Forces and for seized and confiscated equipment in order to prevent illegal diversion. Information on that equipment is entered into the SAP-SR3 system and into the integrated logistics information system, which is used to control inventory, movements, intended use and redeployment.

For control purposes, seized and confiscated equipment is entered in the inventories of the warehouses of military and police units.

It is essential that States, and particularly the producers of arms and ammunition, agree to revise their production and marking processes for effective traceability in order to trace any diversion to groups outside the law; clearly identify suppliers; and compile a regional and subregional register.

The defence sector therefore seeks to implement mechanisms for effective control of arms production and sales in Colombia in order to prevent State-owned weapons and confiscated items from entering illegal arms trafficking networks, which also affects other States.

## Germany

[Original: English]
[17 April 2012]

Germany is dedicated to confidence-building and conventional arms control measures at the regional level. Germany attaches great importance and devotes considerable commitment to OSCE as its relevant regional security organization. Detailed information about Germany's commitment regarding regional security and confidence-building can be found in the report it submitted to the Secretary-General on 14 April 2011 in accordance with General Assembly resolution 63/57 on

confidence-building measures in the field of conventional arms. Moreover, Germany transmitted its views to the Secretary-General on 15 July 2011 with respect to General Assembly resolution 65/47 on confidence-building measures in the regional and subregional context (see A/66/112/Add.1).

With regard to the request formulated in paragraph 2 of General Assembly resolution 66/37, currently Germany does not consider the Conference on Disarmament to be the appropriate forum for the formulation of principles regarding regional agreements on conventional arms control. We note that non-universal membership of the Conference on Disarmament may prevent specific regional contexts from being adequately taken into account when formulating such principles.

Germany would like to add that it would consider it natural that States having initiated or sponsored a resolution in which the General Assembly asks the Secretary-General to seek the views of Member States would report accordingly in a timely and comprehensive manner to the Secretary-General.

## Panama

[Original: Spanish]
[7 May 2012]

The Ministry of Public Security reports that by Constitutional mandate the Republic of Panama does not have a standing army and therefore does not have this type of weapon. The Ministry takes this opportunity to urge all States members of the same region or subregion that possess conventional armed forces to support and comply with the international agreements governing the control of such weapons in order to promote peace and security in their respective regions and subregions. The Ministry further considers it essential to preserve and renew all conventional arms control instruments. States should act responsibly and transparently to reduce insecurity, especially in areas where there either has been or could be a conflict.

## Spain

[Original: Spanish]
[3 May 2012]

The ultimate goal of any system of arms control or confidence- and security-building measures should be to prevent conflict by reducing the dangers of misunderstanding or miscalculation of military activities of other countries; taking steps to impede covert military preparations; reducing the risk of surprise attacks and reducing the risk of the outbreak of war by accident.

The measures agreed upon may be legally or politically binding, but in any case should meet a series of requirements that can be summed up in the following principles:

- *Specificity*. Measures should be specifically negotiated for each case and each geographical area
- *Transparency*. This should be based on exchanges of information and the establishment of regular contacts and free-flowing communication

- *Verifiability*. The measures adopted should include a system for verifying their implementation. This is the only way to maintain confidence in cases of suspected non-compliance

- *Reciprocity*. Each party's gains in terms of a higher level of confidence in the other parties should be matched by similar gains in the other parties' levels of confidence. Otherwise, measures of this type will be much harder to negotiate

- *Voluntary nature of negotiations and mandatory nature of compliance*. The parties should feel comfortable with the measures agreed at each stage of the process. In addition, the political will required for the negotiation of measures of this type should be commensurate with the mandatory nature of compliance with these measures

- *Progressivity*. The measures should be seen as a process in which new and more effective measures are progressively developed as confidence between the parties improves

- *Complementarity*. Care should be taken at all times to ensure complementarity between the measures adopted at the global (United Nations), regional, subregional and bilateral levels and to avoid the duplication of measures.

Moreover, an arms control regime, in order to be effective, requires:

– A consultative body to monitor the measures' implementation. All the parties should be represented in such a body, which should provide for the reporting of any problems encountered in the practical application of the measures, as well as for the negotiation of new measures or the modification of existing ones. This body should be able to exert enough political pressure to convince the parties of the need for full compliance with the commitments undertaken (the involvement of the most powerful countries in each region is therefore extremely important).

– A suitable system of communications that enables the parties to meet the response deadlines laid down in the various measures and that is flexible enough to ensure the flow of information needed to restore confidence in the event of any disturbances.

The establishment of confidence-building measures, especially among affected neighbouring States, the strengthening of border controls and the training of specialized staff, among other arrangements, could create a propitious environment for the elaboration of supranational (including subregional) arms control agreements.

In addition, regional and subregional conventional arms control agreements should take into account the importance of:

(a) Establishing new confidence-building measures among neighbouring countries and strengthening those currently in place;

(b) Increasing transparency measures within the regional and subregional forums themselves;

(c) Disseminating the objectives of such forums to countries in the area that have not yet endorsed them;

(d) Compiling an arms inventory in the countries where such inventories do not yet exist;

(e) Strengthening measures to promote universal adherence to the various international instruments;

(f) Enforcing strict requirements of export and import permits;

(g) Strengthening mechanisms for monitoring weapons manufacturers and, in cases where the weapons purchased are not end products, suppliers and component assemblers.

## Turkey

[Original: English]
[7 May 2012]

Regional and subregional arms control arrangements are complex constructs to establish and maintain. They require deeper politico-military analysis, more detailed undertakings and a higher degree of implementation in comparison to the arms control arrangements at universal or continental level. However, they should be an integral part of any conventional arms control architecture if the problems of military stability and security at regional and subregional levels are to be addressed in a meaningful way.

The Flank Agreement of the Treaty on Conventional Armed Forces in Europe regime is a successful example in this regard. This agreement serves as the main provider of conventional security at regional and subregional levels in Europe, in particular in the Caucasus, the Black Sea region and northern Europe.

## Turkmenistan

[Original: Russian]
[27 April 2012]

Turkmenistan, as an independent and permanently neutral country, is actively committed to the implementation of the conventions, agreements and treaties which are of fundamental importance in upholding the international security system, and also in promoting peace and stability in society, and it recognizes the primacy of the universally accepted rules of international law. Turkmenistan fully supports the initiative by the United Nations to establish a zone free of nuclear weapons and other modern weapons of mass destruction in Central Asia and strictly abides by all its international commitments and the conventions which it has signed on the prohibition of these weapons.

The United Nations Regional Centre for Preventive Diplomacy for Central Asia was opened in Ashgabat on 10 December 2007. Independent and permanently neutral Turkmenistan fully supports the initiative by the United Nations to establish a zone free of nuclear weapons and all other modern weapons of mass destruction in Central Asia and strictly abides by all its international commitments and the conventions which it has signed on the prohibition of these weapons. The military doctrine of independent and permanently neutral Turkmenistan underscores that the ability to deploy weapons of mass destruction and their means of delivery and the dissemination of new military production technologies constitute the principal threats to military security.

As stated in article 6 of the Constitution of Turkmenistan, adopted on 26 September 2008, "Turkmenistan, as a fully fledged member of the international community, maintains a foreign policy based on the principles of permanent positive neutrality, non-interference in the internal affairs of other countries, renunciation of the use of force and of participation in military blocs and alliances and the promotion of peaceful, friendly and mutually beneficial relations with the countries of the region and other States around the world. Turkmenistan abides by the universally recognized rules of international law. If in an international treaty to which Turkmenistan is a party rules are defined which are at variance with the law of Turkmenistan, the rules of the international treaty shall prevail."

As a member of the Organization for Security and Cooperation in Europe (OSCE), Turkmenistan, along with all the other States members of this organization, submits an annual report on its armed forces in accordance with the current programme of the Helsinki Document of 1992, in compliance with the Code of Conduct on Politico-Military Aspects of Security, the global exchange of military information and the annual exchange of military information. For the purpose of arms control, and also in compliance with the above instruments on the annual submission of military information and the provisions of the Vienna Document 1999 of the OSCE negotiations on confidence- and security-building measures, Turkmenistan is visited every year by military inspection teams comprising inspectors from other countries.